

Message Text

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ACTION EB-08

INFO OCT-01 ARA-10 ISO-00 CAB-02 CIAE-00 COME-00
DODE-00 DOTE-00 INR-10 NSAE-00 FAA-00 L-03 PA-01
ICA-11 /046 W

-----046558 191913Z /64

P R 191735Z MAY 78

FM AMEMBASSY BRASILIA

TO SECSTATE WASHDC PRIORITY 7593

INFO AMCONSUL RIO DE JANEIRO

AMCONSUL SAO PAULO

FAA ATLANTA

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EO 11652 NA

TAGS EAIR ETRD BR

SUBJECT: RECENT PRESS COMMENTS ON BANDEIRANTE CERTIFICATION

1. TWO RECENT PRESS ARTICLES CONTAINING COMMENTS ASCRIBED TO FORMER
FAA REPRESENTATIVE WHO PARTICIPATED IN OPENING OF TRADE CENTER
AVIONICS SHOW GAVE IMPRESSION THAT FAA HAD DECIDED TO REDUCE
BANDEIRANTE CERTIFICATION REQUIREMENTS.

2. GAZETA MERCANTIL (SAO PAULO) OF MAY 16 CARRIED SMALL FRONT
PAGE STORY HEADED "FAA APPROVES BANDEIRANTE". THRUST OF STORY
WAS THAT FAA HAD REDUCED THE REQUIREMENTS IT HAD BEEN DEMANDING
FOR THE CERTIFICATION OF THE BANDEIRANTE FOR "COMMERCIAL OPERATION".
ARTICLE QUOTED FAA REPRESENTATIVE AS FOLLOWS: "ALL EMBRAER HAS TO DO
NOW IS OBTAIN A FORMAL ORDER FROM A US AIRLINE, AND THE BANDEIRANTE
WILL BE CERTIFIED ALSO FOR COMMERCIAL OPERATION.... THIS
DECISION WAS NOT TAKEN STRICTLY IN REGARD TO THE BANDEIRANTE,
BUT ALSO KEEPING IN MIND THAT IN THE US AT LEAST THREE FIRMS--
PIPER, BEECHKRAFT AND SWENING --ARE IN THE SAME POSITION AS
EMBRAER."

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3. ARTICLE THEN WENT ON TO EXPLAIN (WITHOUT CITING SOURCE) THAT
THIS CHANGE IN FAA'S POSITION WAS DUE TO DECISION TO USE FAR 23
(PLUS ANNEX A OF 135) RATHER THAN FAR 25 AS THE APPROPRIATE TECH-
NICAL STANDARD FOR AIRCRAFT WITH CAPACITIES OF GREATER THAN 10
PASSENGERS.

4. EMBRAER'S TECHNICAL DIRECTOR GUIDO PESSOTTI WAS QUOTED IN

ARTICLE AS SAYING THAT THIS CHANGE IN THE FAA'S POSITION ON THE CERTIFICATION OF THE BANDEIRANTE COULD OPEN UP A MARKET OF 80 UNITS OVER THE NEXT TWO YEARS, BUT HE STRESSED THAT WHILE IT APPEARED THAT THE FAA HAD INDEED MODIFIED ITS POSITON, EMBRAER HAD NOT RECEIVED ANY OFFICIAL NOTICE FROM THE FAA ON THIS SUBJECT.

5. FOLHA DE SAO PAULO CARRIED A SIMILAR ARTICLE ON MAY 16. IT QUOTED FAA REP. AS SAYING THAT "ALL THAT WAS NEEDED FOR THE CERTIFICATION OF THE BANDEIRANTE WAS A BONA FIDE BUYER." THE ARTICLE STATED THAT THE FAA REP. HAD SENT A LETTER TO FAA HEAD-QUARTERS IN WHICH HE PROPOSED A TWO-STAGE CERTIFICATION OF THE BANDEI-

RANTE. IN THE FIRST PHASE, THE PLANE WOULD BE CERTIFIED UNDER FAR23 FOR EXECUTIVES AND PRIVATE USE. IN THE SECOND PHASE, THE PLANE WOULD BE CERTIFIED FOR AIR TAXI OPERATIONS (SCHEDULED ON NON-SCHEDULED SERVICE) USING A COMBINATION OF FAR 23 AND ANNEX A OF FAR 135, THUS AVOIDING FAR 25. ACCORDING TO THE ARTICLE, THIS SECOND PHASE CERTIFICATION WOULD ALSO INCLUDE THE 19-PASSENGER BANDEIRANTE, ALTHOUGH ACCORDING TO THE FAA REP. SOME TECHNICAL MODIFICATIONS WOULD BE REQUIRED, PURSUANT TO ANNEX A.

6. COMMENT: EMBASSY HAS AVOIDED COMMENT ON THE PRESS ACCOUNTS. WE HAVE DISCUSSED THE ARTICLES WITH FORMER FAA REPRESENTATIVE WHO STATES HE HAS BEEN INCORRECTLY REPORTED BY THE PRESS. FAA REP SIMPLY OUTLINED CONTENTS OF LETTER SENT BY HIM TO EMBRAER AND DISCUSSED THE DISTINCTION BETWEEN AIR TAXI OPERATIONS AND SCHEDULED LIMITED OFFICIAL USE

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COMMUTER SERVICE. END COMMENT.

6. ACTION REQUESTED: FOR ITS INFORMATION, EMBASSY WOULD APPRECIATE CLARIFICATION OF PRECISE LIMITS OF AIR TAXI OPERATIONS THAT WOULD BE CERTIFIABLE UNDER FAR 23 PLUS SPECIAL CONDITIONS.
JOHNSON

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Message Attributes

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